

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERGLOBO NORTH AMERICA, INC.

Plaintiff,

- against -

MICKEY GROUP INC.,

Defendant.

22-cv-9111 (JGK)

ORDER

JOHN G. KOELTL, District Judge:


On November 29, 2022, the plaintiff in this action sought a certificate of default against the defendant (ECF Nos. 8-9). On November 30, 2022, the Clerk of Court issued a certificate of default as to the defendant (ECF No. 10). On December 16, 2022, the Court entered an order to show cause why a default judgment should not be entered, and directed the defendant to respond in writing to the order to show cause on or before January 5, 2023 (ECF No. 24). On December 29, 2022, the plaintiff filed proof of service of the order to show cause on the defendant (ECF Nos. 25-26). On January 3, 2023, the defendant filed an answer to the complaint (ECF No. 27), but the defendant has neither responded directly to the order to show cause nor moved to set aside the entry of default.

After a certificate of default has been entered, Federal Rule of Civil Procedure 55(c) "grants a litigant the right" to move to "set aside the entry of default for 'good cause.'" Enron Oil Corp. v. Diakuhara, 10 F.3d 90, 95 (2d Cir. 1993) (quoting Fed. R. Civ.

P. 55(c)). Because the filing of the defendant's answer indicates that the defendant is prepared to litigate the action, the defendant is directed to file a motion to set aside the entry of default on or before **January 13, 2023**. The plaintiff may respond on **January 18, 2023**. Any reply is due on **January 24, 2023**. These deadlines replace the deadlines set forth in the Court's December 16, 2022 order to show cause (ECF No. 24).

SO ORDERED.

**Dated: New York, New York
January 4, 2023**



**John G. Koeltl
United States District Judge**